

**DELEGATION OF AUTHORITY
TOXIC SUBSTANCES CONTROL ACT (TSCA)**

Inspections and Subpoenas

- 1. AUTHORITY.** Pursuant to the Toxic Substances Control Act, including Section 11:
 - a. To inspect any establishment, facility, or other premises in which chemical substances, mixtures, or articles containing chemical substances or mixtures, are manufactured, processed, stored, or held before or after their distribution in commerce, and any conveyance being used to transport chemical substances, mixtures, or such articles in connection with distribution in commerce.
 - b. To obtain and execute warrants for the purpose of performing inspections and conducting information gathering.
 - c. To carry out any other inspection and information gathering activities authorized by the TSCA.
 - d. To require the carrying out of any other inspection and information gathering activities authorized by the TSCA.
 - e. To require by subpoena the attendance and testimony of witnesses and the production of reports, papers, documents, answers to questions, and other information.
 - f. To designate representatives of the Administrator to perform the functions in paragraphs 1.a, 1.b, 1.c, 1.d, and 1.e.
- 2. TO WHOM REDELEGATED.**
 - a. The authority in 1.a., the execution of warrants under 1.b., and 1.c. are redelegated:
 - i. Through the Director, Enforcement and Compliance Assurance Division, or equivalent, to the Branch Chief, Air and Toxics Enforcement Section, or equivalent.
 - ii. Through the Director, Laboratory Services and Applied Sciences Division, or equivalent, and through the Branch Chief, Environmental Characterization Branch, or equivalent, to authorized staff and contractors acting as representatives of the Administrator under Section 11 of TSCA, 15 U.S.C. § 2610.
 - b. The authority to authorize obtainment of warrants under 1.b. is redelegated:
 - i. To the Director, Enforcement and Compliance Assurance Division, or equivalent.
 - ii. To the Director, Laboratory Services and Applied Sciences Division, or equivalent.
 - c. The authority in 1.d. and 1.f. is redelegated:
 - i. Through the Director, Enforcement and Compliance Assurance Division, or equivalent, to the Branch Chief, Air and Toxics Enforcement Section, or equivalent.
 - ii. Through the Director, Laboratory Services and Applied Sciences Division, or equivalent, to the Branch Chief, Environmental Characterization Branch, or equivalent.
 - d. The authority in 1.e. is redelegated to the Regional Counsel, or equivalent.

3. LIMITATIONS.

- a. The AA for OECA and the AA for OCSPP must notify the appropriate office director or unit manager prior to exercising inspection authority under 1.a, 1.c, 1.d and 1.e, except in the case of nationally managed programs.
- b. The appropriate office director or unit manager must consult with the regional counsel, or equivalent, prior to requesting warrants or issuing subpoenas.

4. REDELEGATION AUTHORITY.

- a. The authority in 1.a., the execution of warrants under 1.b., 1.c., and 1.e. may be redelegated to the staff level.
- b. The authority to authorize obtainment of warrants under 1.b., 1.d., and 1.f. may be redelegated to the section chief level, or equivalent, and no further.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. SUPERSESSSION. This delegation supersedes R10 12-1 (07/11/2016) and any other delegation of the same authority.

6. ADDITIONAL REFERENCES.

- a. Sections 11(a)-(c) of the TSCA.
- b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."
- c. EPA Delegation 12-1.

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Date


Chris Hladick
Regional Administrator